

**AMENDMENTS**

**IN THE CLAIMS**

Please amend the claims to read as follows:

1. (Cancelled)
2. (Previously Amended) A device comprising;
  - a waveguide;
  - a finline substrate positioned within the waveguide;
  - a tunable dielectric layer positioned on the finline substrate, wherein the tunable dielectric layer comprises a barium strontium titanate (BSTO) composite containing materials that enable low insertion loss and phase tuning at room temperature;
  - a first conductor positioned on the tunable dielectric layer; and
  - a second conductor positioned on the tunable dielectric layer, the first and second conductors being separated to form a gap having a minimum width ranging from 2 micron to 50 micron;
  - the gap extending from a first end of the tunable dielectric layer to a second end of the tunable dielectric layer;
  - the gap including a first end, a center portion and a second end; and
  - the gap including exponentially tapered portions adjacent to said first and second

ends.

3. (Cancelled)

4. (Cancelled)

5. (Cancelled)

6. (Previously Amended) A device comprising:  
a waveguide;  
a finline substrate positioned within the waveguide;  
a tunable dielectric layer positioned on the finline substrate, wherein the tunable dielectric layer comprises a barium strontium titanate (BSTO) composite containing materials that enable low insertion loss and phase tuning at room temperature;  
a first conductor positioned on the tunable dielectric layer; and  
a second conductor positioned on the tunable dielectric layer, the first and second conductors being separated to form a gap having a minimum width ranging from 2 micron to 50 micron; the second conductor comprising an RF choke.

7. (Currently Amended) A device comprising;  
a waveguide;

a finline substrate positioned within the waveguide;

a tunable dielectric layer positioned on the finline substrate, wherein the tunable dielectric layer comprises a barium strontium titanate (BSTO) composite containing materials that enable low insertion loss and phase tuning at room temperature;

a first conductor positioned on the tunable dielectric layer; and

a second conductor positioned on the tunable dielectric layer, the first and second conductors being separated to form a gap having a minimum width ranging from 2 micron to 50 micron; the waveguide including first and second sections, and the device ~~tunable phase shifter~~ further comprising:

a first conductive plate positioned between the first and second sections of the waveguide; and

a second conductive plate positioned between the first and second sections of the waveguide, the first conductive plate being insulated from the waveguide and the second conductive plate being electrically connected to the waveguide.

8. (Currently Amended) The device according to claim 7, the tunable phase shifter extending between a first end and a second end; and the device further comprising an impedance matching section formed by said ~~a~~ gap between the first and second conductive plates; the gap extending between the first end and the second end.

9. (Cancelled)
10. (Cancelled)
11. (Cancelled)
12. (Previously Amended) A device comprising;
  - a waveguide;
  - a finline substrate positioned within the waveguide;
  - a tunable dielectric layer positioned on the finline substrate, wherein the tunable dielectric layer comprises a barium strontium titanate (BSTO) composite containing materials that enable low insertion loss and phase tuning at room temperature;
  - a first conductor positioned on the tunable dielectric layer;
  - a second conductor positioned on the tunable dielectric layer, the first and second conductors extending between a first end and a second end and being separated to form a gap having a minimum width ranging from 2 micron to 50 micron; and
  - an impedance matching section formed by at least one exponentially tapered gap between the first and second conductors; the at least one exponentially tapered gap being situated adjacent at least one of the first end and the second end.
13. (Cancelled)
14. (Currently Amended) The device according to claim 2 ~~1~~, wherein the tunable

dielectric layer comprises a barium strontium titanate (BSTO) composite; the composite comprising at least one substance selected from the group of:

BSTO-MgO, BSTO-MgAl<sub>2</sub>O<sub>4</sub>, BSTO-CaTiO<sub>3</sub>, BSTO-MgTiO<sub>3</sub>,  
BSTO-MgSrZrTiO<sub>6</sub>,

15. (Previously Amended) A device comprising;

a waveguide;

a finline substrate positioned within the waveguide;

a tunable dielectric layer positioned on the finline substrate, wherein the tunable dielectric layer comprises a composite material that enables low insertion loss and phase tuning at room temperature; the composite material being comprised of at least one substance selected from the group of:

Mg<sub>2</sub>SiO<sub>4</sub>, CaSiO<sub>3</sub>, BaSiO<sub>3</sub>, SrSiO<sub>3</sub>, Na<sub>2</sub>SiO<sub>3</sub>, NaSiO<sub>3</sub>-5H<sub>2</sub>O, LiAlSiO<sub>4</sub>,  
Li<sub>2</sub>SiO<sub>3</sub>, Li<sub>4</sub>SiO<sub>4</sub>, Al<sub>2</sub>Si<sub>2</sub>O<sub>7</sub>, ZrSiO<sub>4</sub>, KAlSi<sub>3</sub>O<sub>8</sub>, NaAlSi<sub>3</sub>O<sub>8</sub>, CaAl<sub>2</sub>Si<sub>2</sub>O<sub>8</sub>,  
CaMgSi<sub>2</sub>O<sub>6</sub>, BaTiSi<sub>3</sub>O<sub>9</sub> and Zn<sub>2</sub>SiO<sub>4</sub>;

a first conductor positioned on the tunable dielectric layer; and

a second conductor positioned on the tunable dielectric layer, the first and second conductors being separated to form a gap having a minimum width ranging from 2 micron to 50 micron.

16. (Previously Amended) A device comprising;
- a waveguide;
  - a finline substrate positioned within the waveguide;
  - a tunable dielectric layer positioned on the finline substrate, wherein the tunable dielectric layer comprises a barium strontium titanate (BSTO) composite containing materials that enable low insertion loss and phase tuning at room temperature;
  - a first conductor positioned on the tunable dielectric layer; and
  - a second conductor positioned on the tunable dielectric layer, the first and second conductors being separated to form a gap having a minimum width ranging from 2 micron to 50 micron; the tunable dielectric layer comprising an electronically tunable dielectric phase and at least two metal oxide phases.
17. (Cancelled)
18. (Cancelled)